



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,407	11/15/2001	Ofer Elzam	U 013720-5	1004
140	7590	03/30/2006	EXAMINER	
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			SHERKAT, AREZOO	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 03/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/002,407	Applicant(s) ELZAM ET AL.	
	Examiner Arezoo Sherkat	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 383-392 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 383-392 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/02&4/03&2/04&11/</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-382 are cancelled. Claims 383-392 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 383-392 are rejected under 35 U.S.C. 102(b) as being anticipated by Field et al., (U.S. Patent No. 6,253,324 and Field hereinafter).

3. Regarding claims 383 and 391, Field discloses a method for routing data objects through a communication network that includes a virus detection system (col. 4, lines 17-45), the method comprising:

classifying an incoming data object to the communication network according to a pre-determined criterion related to a type of said incoming data object (col. 4, lines 17-45 and col. 6, lines 10-67 and col. 7, lines 1-67);

if said classifying indicates that said incoming data object is distrusted: routing said incoming data object to the virus detection system, and otherwise, routing said incoming data object directly to a destination thereof, said criterion being prior

Art Unit: 2131

information that a data object of said type includes executable code (col. 6, lines 25-67 and col. 7-8, lines 1-67 and col. 9, lines 1-30).

4. Regarding claims 388 and 392, Field discloses a router apparatus comprising:

programmable means for detecting viruses within data objects that pass through the apparatus, and programmable means for classifying a data object according to a pre-determined criterion related to a type of said data object (col. 2, lines 58-67 and col. 3, lines 1-10); and

programmable means, separate from said programmable means for detecting viruses, for routing said data object (col. 4, lines 17-45): to said programmable means for detecting viruses if said classifying indicates that said data object is distrusted (e.i., the server program provides requested services to the requesting client program only if the executable image of the requesting client has not been altered in comparison to the on-disk image file), otherwise, directly to a destination thereof, said criterion being prior information that a data object of said type includes executable code (col. 6, lines 25-67 and col. 7-8, lines 1-67 and col. 9, lines 1-30).

5. Regarding claim 384, Field discloses wherein said incoming data object is selected from the group consisting of a file (i.e., executable image file), a web page, an e-mail message and a communication packet (col. 6, lines 25-67 and col. 7-8, lines 1-67 and col. 9, lines 1-30).

Art Unit: 2131

6. Regarding claims 385-387, Field discloses wherein the communication network connects between a wide area network and a local area network (col. 4, lines 17-45).

7. Regarding claims 389-390, Field discloses wherein said programmable means comprise software or hardware elements (col. 6, lines 25-67 and col. 7-8, lines 1-67 and col. 9, lines 1-30).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Holden et al., (U.S. Patent No. 5,832,228),

Mateev et al., (U.S. Publication No. 2003/0101381),

Arnold et al., (U.S. Patent No. 5,440,723), and

Schnurer et al., (U.S. Patent No. 5,842,002).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2131

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.S.



Patent Examiner
Group 2131
Mar. 24, 2006


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER